

ARTICLE APPEARED
ON PAGE 1

LOS ANGELES TIMES
17 JULY 1976

P. Kempster, Norman
CIA 401 Socialist Workers
Party
CIA 601 Bush, George
CIA 3017

CIA Committed Burglaries Abroad, Director Admits

BY NORMAN KEMPSTER
Times Staff Writer

WASHINGTON—The CIA has committed burglaries to obtain information about Americans living or traveling abroad, Director George Bush admitted in court papers made public Friday.

In a sworn affidavit, Bush also said that the CIA had overheard with hidden microphones or wiretaps the conversations of Americans in foreign countries.

Bush submitted the statement in response to written questions from lawyers for the Socialist Workers Party, which has filed a \$37 million damage suit against the FBI, CIA and other government agencies charging violation of the rights of party members.

A CIA spokesman said that the agency had never rejected the use of surreptitious entry as a technique for gathering information abroad. But he refused to say whether the CIA still conducted burglaries against American citizens overseas.

Herbert Jordan, a New York attor-

ney representing the Socialist Workers, said the party would argue that CIA-sponsored break-ins were illegal if they were directed against Americans.

The case apparently will be the first in which a court is asked to decide the legality of such overseas activities of U.S. intelligence agencies.

"It is our position that surreptitious entries and warrantless surveillance of American citizens violates the Constitution regardless of whether it is done in the United States or abroad," Jordan said.

No date has been set for oral arguments in the case, which is being heard in U.S. District Court in New York.

In written interrogatories, lawyers of the party asked the CIA if the Socialist Workers or members of its youth affiliate, the Young Socialist Alliance, had been targets of burglaries, wiretaps or bugs during the last 13 years. The lawyers also demanded

full details and documents from the agency's files.

Bush responded with a detailed affidavit that was classified "top secret" by the CIA. The paper was turned over to the U.S. attorney's office in New York under conditions that make it available to the judge but not to the Socialist Workers or to the public.

A three-page summary, couched in general terms, was made public.

"Information . . . was acquired and a result of several surreptitious entries that were made into premises abroad as to which certain of the named plaintiffs . . . had regular access or may have had proprietary interest," Bush said in the public affidavit.

The intentionally vague language apparently covers break-ins at apartments, hotel rooms and offices.

The Socialist Workers Party is a tiny left-wing organization that was the target of FBI burglaries as part of the FBI's since-discontinued COINTELPRO (counterintelligence program) effort. Although the party's rhetoric is often inflammatory, its members have never been convicted of political violence.

Bush's affidavit referred only to burglaries, bugging and wiretapping against members and officers of the party and its youth affiliate. But in a 29-page brief filed along with the affidavit, the government implied that similar techniques were used against other targets.

"It is apparent that disclosure of the documents (providing the details demanded by the party) would reveal CIA sources and methods," U.S. attorney Robert B. Fiske Jr. said in the accompanying brief.

In court papers filed Friday, the Socialist Workers urged the court to reject the CIA's secrecy plea and make public the documents and Bush's detailed response to the written questions.

In addition to pressing the case in court, the party sent copies of Bush's affidavit to the Senate's new permanent Committee on Intelligence headed by Sen. Daniel K. Inouye (D-Hawaii). The party urged the committee, created earlier this year as a successor to the temporary committee headed by Sen. Frank Church (D-Ida.), to investigate the extent of CIA burglaries.

The Church committee disclosed earlier that the CIA and the National Security Agency had intercepted telephone, cable and telex communications of Americans when at least one party to the communication was located in a foreign country.

The committee did not specifically refer to overseas burglaries by the CIA.